

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
LONG ISLAND HOUSING SERVICES,

Plaintiff,

-against-

GREENVIEW PROPERTIES, INC., GREENVIEW
COMMONS ASSOCIATES, L.P.,
LARRY GARGANO,
PICKMAN REALTY CORPORATION,
AXELROD & CHERVENY ARCHITECTS, P.C.,
and STUDIO A ARCHITECTURAL GROUP, P.C.

Defendant(s).

-----X

APPEARANCES:

RELMAN & DANE, PLC

Attorneys for the Plaintiff

1225 19th St., NW

Suite 600

Washington, DC 20036

By: Elena Grigera, Esq.

Scott Chang, Esq. Of Counsel

LAW OFFICES OF MARTIN J. COLEMAN

Attorneys for the Plaintiff

100 Crossways Park Drive West

Suite 412

Woodbury, NY 11797

By: Martin J. Coleman, Esq., Of Counsel

ORDER

07CV0352 (ADS) (WDW)

CERTILMAN BALIN ADLER & HYMAN, LLP

Attorneys for Defendants Greenview Properties, Inc.,
Greenview Commons Associates, L.P., Larry C. Gargano,
and Pickman Realty Corporation

90 Merrick Avenue
East Meadow, NY 11554

By: Douglas E. Rowe, Esq., Of Counsel

FARBER, BROCKS & ZANE, LLP

Attorneys for Defendant Axelrod & Cherveny Architects, P.C.

1565 Franklin Avenue
Suite 300

Mineola, NY 11501

By: Braden H. Farber, Esq., Of Counsel

NO APPEARANCE

Studio A Architectural Group, P.C.

SPATT, District Judge.

On November 19, 2007, a default judgment was entered against the Defendant Studio A Architectural Group, P.C. This matter was referred to United States Magistrate Judge William D. Wall for a Report and Recommendation (“Report”) to determine the amount of damages to be awarded to the Plaintiff.

On December 3, 2007, Judge Wall issued a Report, recommending that because a calculation of damages against the defaulting defendant is complicated by the presence of several non-defaulting defendants, such calculation should be postponed until the case is resolved as to all defendants.

To date, there have been no objections filed to the Report. In reviewing a report and recommendation, a court “may accept, reject, or modify, in whole or in

part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. §636(b)(1)(C). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Wilds v. United Parcel Serv., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (citing Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991).

The Court has reviewed the Report and agrees that a determination of damages as against Studio A Architectural Group, P.C. is premature. There being no objection to Judge Wall’s Report, it is hereby

ORDERED, that Judge Wall’s Report and Recommendation is adopted in its entirety; and it is further

ORDERED, that the calculation of damages and entry of final judgment against Studio A Architectural Group is stayed until after resolution of the action as to all defendants.

SO ORDERED.

Dated: Central Islip, New York
January 11, 2008

/s/ Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge